

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Action No. 17-299
)	
JAMES TARIC BYRD,)	Judge Cathy Bissoon
)	
Defendant.)	

ORDER

For the reasons stated on the record at the competency hearing held today, the Court finds that Defendant is competent to stand trial on the charges against him.

IT IS FURTHER ORDERED that defense counsel's motion to withdraw, (Doc. 45), is DENIED.¹ At today's hearing, Ms. Stern represented to the Court that she no longer wished to pursue that motion and that she is able to continue to represent Defendant in this matter. Nevertheless, the Court attempted to engage with Defendant directly regarding whether he wished to waive his right to representation, but Defendant's conduct precluded such efforts and he ultimately was removed from the courtroom. Specifically, Defendant engaged in vulgar and disruptive behavior, refused to be sworn, and refused to answer any questions regarding waiver of representation. Given that Defendant has not knowingly and voluntarily waived his right to counsel, defense counsel will continue to represent Defendant's interests in this case.

IT IS SO ORDERED.

November 19, 2019

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):
All Counsel of Record

¹ This motion has been held in abeyance since August 6, 2018. (Doc. 50.)